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ABSTRACT

Virginia's distinctive political and legislative tradition makes its intergovernmental relations particularly challenging. Following the Dillon Rule, a 19th century legal doctrine that limits local governments to exercising only those powers specifically authorized by statue, Virginia is the only state that maintains an independent city system, making its 41 cities legally separate from their surrounding counties. Despite the general success of various ad hoc study groups, the need for a standing body to consider these issues on a full-time basis has become apparent. Twenty-eight states currently have permanent institutional forums specifically charged with improving their intergovernmental systems. These Advisory Commission(s) on Intergovernmental Relati (ACIR) have some common models, but no two state's versions are alike. Virginia conducted a survey of the chief elected officials in every town, city, county, and regional planning commission to investigate local reaction to a state ACIR. Most respondents favored the formation of an ACIR, with local, legislative, and executive representation which would meet at least quarterly and perform the roles of a statewide forum and information clearinghouse. Of the various options presented, the reconstitution and expansion of the present Local Government Advisory Council into such an ACIR is suggested. Legislation to that effect was passed by the General Assembly in 1989, and will be enacted in January, 1990. (PPB)

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A New Forum for State-Local Dialogue

Carolyn J. Moss and Deborah D. Roberts

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In response to HJR No. 119 adopted by the 1988 General Assembly, the Secretary of Administration, assisted by the Center for Public Service, studied Virginia's need for an intergovernmental relations commission, often called an "ACIR" (House Document No. 37, 1989). The study included a comprehensive survey of Virginia's state and local officials and research on practices in twenty-seven other states. This News Letter highlights the Secretary of Administration's recommendations that were substantially incorporated in legislation (HB 1642) passed by the 1989 General Assembly.

Every year the General Assembly and the governor ponder policies that try delicately to balance the intricacies of Virginia's intergovernmental structure. Every decade sees ad hoc legislative commissions and task forces.... Pressure is again mounting for the state to change the intergovernmental rules in order to foster more cooperation.

By definition, intergovernmental relations simply means the ways that two or more governments relate to each other, especially across levels of government (i.e., national-state-local). But in practice, these relations are anything but simple. In Virginia one only need mention city-county annexation disputes, state aid distribution formulas, the Lorton reformatory, or regulations regarding the release of effluents into the James River to witness how complex the intergovernmental web has become.

Every state copes with tensions between itself and the counties and municipalities that are its political subdivisions. States also experience disputes among neighboring localities and geographic regions. However, Virginia's distinctive political and legislative traditions make intergovernmental relations particularly challenging.

Virginia's Distinctive Intergovernmental System

Dillon Rule

Virginia follows the Dillon Rule, a 19th-century legal doctrine that limits local governments to exercising only those powers specifically authorized by statute. As a consequence, local governments must present numerous proposals to the legislature authorizing local government action. These requests have ranged from noise ordinances to far-reaching proposals like Fairfax County's recent request to increase a variety of taxes to finance transportation improvements.

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Not surprisingly, cities, town, and counties unanimously ranked "taxing authority" as the area with the worst state-local relations.

During the 1971 ratification debate on the Commonwealth's current constitution, the home rule system, which allows a local government to exercise any power or perform any function not expressly denied to it, was rejected. But a home rule system in no way guarantees simple, conflict-free state-local relations. Even with home rule, state legislatures zealously oversee their localities' exercise and interpretation of delegated powers, and local complaints still abound against state mandates and tightly held purse strings.

Independent Cities

Virginia is also the only state that maintains an independent city system. This makes Virginia's forty-one cities legally separate from their surrounding counties. In other states, local governments overlap in jurisdiction, and a city dweller would receive some services from the city and others from the surrounding county. The Virginia system avoids double taxation and clarifies political accountability and service provision in each local government.

Annexation System

The Old Dominion also uses an unusual quasi-judicial method to approve municipal boundary adjustments for facilitating municipal growth—a system that adds a degree of uncertainty and conflict to the local government map. When municipal boundary adjustments are coupled with the independent city system, the results have often been bitter annexation fights, pitting core cities against suburbs and rural areas in neighboring counties. As a result of the limitations placed on the formation and authority of local governments, Virginia has a relatively uncomplicated local government structure, with only 324 general purpose local governments. Ohio, by contrast, has 2,500.

Should Virginia Establish an ACIR?

Every year the General Assembly and the governor ponder policies that try delicately to balance the intricacies of Virginia's intergovernmental structure. Every decade sees *ad hoc* legislative commissions and task forces. For instance, reacting to urbanization pressures, in 1967, the Virginia Metropolitan Areas Study Commission (the Hahn Commission) recommended a more proactive role for the state in encouraging regional cooperation, and proposed the creation of twenty-two planning district commissions. This added an intermediate layer to the intergovernmental framework.

In 1975, the Commission on City-County Relations (the Stuart Commission) recommended continuing both the independent city system and the judicial review of all boundary adjustment cases. However, it called for more stringent state criteria that considered the fiscal and service capacity of any proposed new cities and their effect on adjoining localities. The Stuart Commission also recommended granting certain counties immunity from city-initiated annexation and from the incorporation of new cities, if the counties offered urban services and were willing to engage in revenue sharing agreements.

Despite the general success of these various *ad hoc* study groups, a need became apparent for a standing body to consider some of these issues on a full-time basis. In 1980, after four years of legislative review, the General Assembly lifted its moratorium on boundary adjustments, and created the Commission on Local Government. Although the commission has some limited authority to become involved with other interlocal issues, it was established primarily to serve the courts as a technical fact-finding body and to assist local governments in the negotiation and settlement of such issues.

Thus, the Commonwealth may yet have a need for a body with more general intergovernmental responsibilities than the Commission on Local Government. Pressure is again mounting for the state to change the intergovernmental rules in order to foster more interlocal cooperation. The legislative Commission on Local Government Structures and Relationships (the Grayson Commission) anticipates introducing legislation before the 1990 General Assembly that, it now appears, will propose fundamental changes in the local government environment in Virginia. In a separate effort, a joint task force of the Virginia Municipal League (VML) and the Virginia Association of Counties (VACO) reached an agreement dealing with interlocal cooperation, town-county relations, and city-county relations.

Another recent task force by the Local Government Attorneys of Virginia argues in its 1988 report for revamping the "evolutionary brew" of local government organization in Virginia, noting:

> The *ad hoc* decisions made about the division of powers and responsibilities between and among the jurisdictions and subgovernments of this state have created a confusing, sometimes overlapping, and sometimes inadequate arrangement of convenience that has been inadequately challenged.

But it is state government that must act to effect these or any other changes.

State Models for an ACIR

Twenty-eight states already have permanent, institutional forums

specifically charged with seeking to improve their intergovernmental systems, and the National Conference of State Legislatures recently has urged other states to follow suit.

Many commissions have been inspired by the example and work of the United States Advisory Commission on Intergovernmental Relations (U.S. ACIR), created by Congress in 1959 to monitor the operation of the American federal system of government and to recommend improvements.

This advisory body is unusual in the breadth and diversity of interests represented. Its members include three U.S. senators, three U.S. representatives, three federal executive officials, four governors, three state legislators, four mayors, three elected county officials, and three private citizens.

Membership Composition

State ACIRs follow three basic models, which vary principally in membership composition. Twenty-one state ACIRs closely follow the federal model with local government officials, state legislators, state executive officials, and citizen representatives. This model has been widely adopted in the South (Florida, Louisiana, North Carolina, Oklahoma, South Carolina, Tennessee, Texas) as well as in the East and the Midwest; and, to a lesser extent, in the West.

Four states (Illinois, Maryland, New York, and South Dakota) have legislative organizations with membership restricted to legislators, although the bodies often consult with executive officials and advisory groups of local government leaders and, moreover, have shown interest in extending formal membership to them.

Two states, Virginia and Maine, have local advisory panels that are composed primarily of local government officials who advise the governor and the executive branch. Virginia's Local Government Advisory Council (LGAC), which was begun by Governor Mills Godwin and given a statutory mission in 1978, is composed primarily of twenty-two local elected officials (one from each planning district) who are appointed by the governor. Because the governor chairs the council and is responsible for convening its meetings, the LGAC is sometimes unable to respond to intergovernmental issues in a timely fashion because of the demands on the governor's time. Indeed, although the LGAC is considered an intergovernmental relations commission by the U.S. ACIR, the absence of legislative members has hindered its discussion of interlocal and state-local issues.

Despite the existence of common models, no two state ACIRs are alike. Membership ranges from 13 to 39; resources range from the New York ACIR's budget of $450,000 and staff of eight, to South Dakota's one part-time staff member and $5,000 annual budget.

Agendas

The agendas of ACIRs share common themes; for example, in an age of tight resources, most state ACIRs focus on fiscal concerns like revenue sharing, fiscal capacity, fiscal stress warning systems, fiscal impact statements, user fees, industrial tax assessments, and property tax reform. Common priorities reflect responses to national changes, such as the local impact of federal aid cutbacks or tort liability and risk management problems resulting from Supreme Court rulings.

ACIRs often get into program areas riddled with intergovernmental conflict, such as the "not in my backyard" waste management issues. ACIRs are responsive to whatever their state's policymakers see as top priorities—Maryland's concern for the Chesapeake Bay cleanup and the savings and loan associations' crisis, for example, or South Carolina's interest in increasing voter participation by establishing uniform dates for local elections.

Obstacles versus Achievements

ACIRs vary in their accomplishments, partly because of the perils they face. Many are fairly new organizations still working on their first assignments and earning their credibility. ACIRs also seem to be prone to considerable political buffeting. Like any advisory body, ACIRs depend on stability and commitment from their own leadership. Administrations or legislatures may bypass the ACIR and choose other vehicles for intergovernmental projects or initiatives.

On the other hand, what can an active ACIR with a full agenda achieve? Consider the praise by the NCSL State-Local Task Force for the ambitious Florida ACIR that:

> prepares annual reports on state mandates, maintains a data base on financial and demographic information on local governments, publishes a local government financial handbook, analyzes bills affecting local governments, and prepares research on such topics as property tax assessment and exemptions, local government retirement systems, federal block grants, and impact fees.

Good Ratings for State-Local Relations and Support for an ACIR

With these limits and promises in mind, do Virginia officials think an ACIR could be useful to

Talk may be cheap, but genuine talking and listening is vital to evaluating complex public issues.

Virginia? If so, what type of organization do they envisage, and what roles do they want it to perform? To answer these questions, the Secretary of Administration, in response to House Joint Resolution 119, recently conducted an extensive survey about state and local attitudes towards an ACIR.[1] The results included the following.

A Satisfactory Relationship

Most respondents felt that Virginia enjoys good relations with its localities. Of those responding, 50 percent of the localities, 62 percent of the planning district commissions (PDCs), and 42 percent of the state agencies rated the current status of state-local relations in Virginia as "average." The status of state-local relations was given "above average" marks by a further 22 percent of localities, 23 percent of PDCs, and 58 percent of state agencies responding to the survey.

Respondents also rated the status of state-local relations in twenty-three functional program areas. The highest scores were given to program areas like housing, community development, and economic development, where the localities saw themselves as a prime constituency. Not surprisingly, cities, towns, and counties unanimously ranked "taxing authority" as the area with the worst state-local relations.

Frequency of Access

Localities gave high marks to their opportunities to convey concerns to the legislature (74 percent of localities and 85 percent of PDCs rated their opportunities as average or better). Respondent ratings about access to the executive branch were somewhat lower, especially at the policy level. Fifty-two percent of localities and 69 percent of the PDCs rated their opportunities to convey concerns to the governor's office and cabinet secretaries as average or above. Localities reported that their most frequent contacts were with state agencies; 63 percent said they only occasionally contacted the governor's office or cabinet secretaries, and another 27 percent reported no contact with that level of the executive branch.

Support for an ACIR

Many respondents felt that Virginia would benefit from an ACIR, including 90 percent of the localities, 69 percent of the PDCs, and 36 percent of state agencies. In contrast, 10 percent of the localities, 31 percent of the PDCs, and 64 percent of the state agencies responding to the survey recommended against establishing an ACIR.

In order to enhance the effectiveness of an ACIR, most were in favor of representation from the three major constituencies—local government, the legislature, and the executive branch. Most respondents favored keeping the membership size of the advisory panel small and requiring at least quarterly meetings. Most respondents also wanted the ACIR to be staffed adequately to fulfill its responsibilities and to be funded fully by the General Assembly.

What Roles Should a Virginia ACIR Play?

- *Respondents strongly supported the forum role for an ACIR (85 percent of the localities, 91 percent of the PDCs, and 50 percent of state agencies).*

Following the ancient advice to "come let us reason together," a fundamental function of ACIRs is to provide a neutral, nonpartisan setting for airing and discussing the concerns of governmental parties. This function is intended to complement other forums in state government, including the premier policy forum of the General Assembly and other forums like agency boards and special commissions.

What can an ACIR offer as a forum that is distinctive? It can give primary consideration to the intergovernmental aspects of issues. In that regard, it can consider issues from the multijurisdictional and multilevel perspectives of its members. It can anticipate and give continuing attention to underlying issues instead of reacting to crises, and it can help create the mutual trust and openness crucial to addressing the complex problems that confront government officials. In the words of one Virginia legislator, "it could be a catalyst to help the state and localities to understand each other; to establish a partnership rather than an adversarial role."

- *Localities (90 percent) and PDCs (83 percent) most strongly favored an information clearinghouse role; 46 percent of state agencies favored this role.*

Like a puzzle only half finished, information crucial to making intergovernmental decisions is often scattered among state agencies, universities, and other organizations. To see adequately the puzzle's intergovernmental picture, state and local officials must know what information is available, have ready access to it, know how to use it, and be willing to use it when making decisions. An ACIR could provide not only a "one-stop" information

1. The survey, which was the most important aspect of this study, was sent to the chief elected officers of every town, city, and county in Virginia and the twenty-two regional planning district commissions. In addition, seventeen state legislators and twelve state agency heads were personally interviewed.

and referral service by collecting and compiling information, but it could be a source of comprehensive data to address intergovernmental questions.

- *Localities (85 percent) and PDCs (83 percent) support a research role. Although 55 percent of state agencies also favored some sort of research role for an ACIR, legislators and agency heads are more skeptical about adding to the already large number of studies produced.*

ACIRs often develop analytical expertise in areas such as reviewing proposed legislation's impact on local governments and doing basic research to alert policymakers to emerging problems. ACIRs are well positioned to do collaborative work and to shed light on other states' experiences with common problems.

- *Many localities (84 percent) support technical assistance as an ACIR role, but only a few PDCs (33 percent) and state agencies (36 percent) recommend this role.*

The ACIRs in Ohio, Colorado, and Washington have assumed a role as technical ombudsmen, helping smaller and more rural jurisdictions deal with the "state capitol maze" in addressing their concerns. Other states have found that ACIRs can be useful in mediating disputes among localities and state agencies, especially if key policymakers are ACIR members.

- *Localities (73 percent) and PDCs (54 percent) favor a policy advocate role, but only a minority of state agencies (27 percent) favor an ACIR's involvement in promoting its own recommendations.*

Whether an ACIR should be a policy advocate is the most controversial issue with which other state ACIRs have grappled, and Virginia officials also offered divided opinions on this issue. Some advocates assert, "What good is an ACIR if it doesn't promote what it believes?" Other individuals are concerned that lobbying would destroy an ACIR's nonpartisan, neutral credibility. An ACIR's policy advocate role, however, may be far more limited than traditional lobbying. An ACIR might perform an "advocacy" role by serving as the institutional voice of local governments within the executive and legislative branches. In that regard, an ACIR might be seen as an advocate for the common good of the overall intergovernmental system.

Prerequisites for a Successful ACIR

> What characterizes a successful ACIR is the issues it tackles, the resources it can marshall, the interests it engages, the solutions it formulates, the discussion it promotes, the agendas it influences, and the activities it fosters. (Florida ACIR)

ACIRs start with noble, ambitious missions and enormous challenges, but as the State-Local Task Force of the National Conference of State Legislatures notes, "the fact of the matter is that most of the existing state-local organizations are a pale shadow of what is really needed."

Achieving their potential depends on how the ACIR is established and what it actually does. Here are insights gleaned from both Virginians and ACIR officials in other states on ways to help ensure that an ACIR will be successful.

Promote the Level of Discussion

An ACIR should provide an opportunity to promote better understanding and working relationships among the levels and types of government, and to establish partnerships rather than adversarial relationships. Talk may be cheap, but genuine talking and listening is vital to evaluating complex public issues.

A fundamental problem in intergovernmental relations is that each level of government or each geographic region feels that its problems and positions are unique and misunderstood. The fact that all are intricately tied together and rely on one another for the performance of public functions often gets lost without adequate dialogue. As noted by a Virginia legislator, an ACIR "could give the state an opportunity to convey its concerns to the localities ... a forum for communication and education to broaden the perspectives of the participants. ... it would be a place for localities to go to get information and to try to make changes within the system."

Be Truly Representative

While it is crucial for an ACIR to have state executive and legislative branch members, local officials should constitute the majority of the membership and should have a significant voice in setting the agenda. Given local diversity, local government members should be selected from counties, cities, and towns of varying sizes, with all geographic areas represented. Domination by any one individual, group, or region should be avoided.

Gain Legislative and Executive Support and Leadership

To be successful, both branches of state government must want the ACIR to be effective. Both must be committed to its establishment, its

Better coordination and an organization responsible for bringing together all the resources—and not another bureaucracy—is what is desired.

early proceedings, and later, its products and recommendations. To garner such broad-based state support, officials from other state ACIRs recommend establishing the body by statute with a dependable funding base and regularly scheduled meetings, and starting with well-defined objectives on which state legislative and executive officials, as well as the local government officials, agree. While an ACIR needs to stress cooperation, like joint projects with legislative committees and local government associations, it also must retain its nonpartisanship and sufficient independence to permit it to challenge policies and offer alternatives.

Build Institutional Credibility

Every ACIR has to prove its worth. One way to accomplish this goal is for both its members and staff to build a reputation for objective expertise and reflect broad experience in intergovernmental issues. A second way is to have its advice heeded, and to affect policy decisions and their implementation. This success depends, in part, on how judiciously the ACIR agenda is chosen. For instance, officials of other state ACIRs recommend picking initially a few issues that are important to local governments, amenable to meaningful research, and conducive to immediate action. Highly controversial, politically charged issues, they contend, are better left until after credibility is established.

Establish Nothing New, Please!

The enthusiasm of Virginia officials for the roles that an ACIR can play appears to be tempered by a skepticism that any new organization could meet expectations. They mentioned that many ACIR functions are already being performed, in part, by state agencies, university public service organizations, PDCs, and local government associations. For example, all these agencies maintain data bases and provide different types of technical assistance to local governments. Better coordination and an organization responsible for bringing together all the resources—and not another bureaucracy—is what is desired.

Organizational Alternatives

What choices can Virginia policymakers consider in addressing these various concerns and in enhancing intergovernmental relations in the Commonwealth?

Option 1: Intensify Existing Efforts

As previously noted, many local and state government officials rate current state-local relations as good. Therefore, one option for the Commonwealth is to continue relying on the existing institutions, with added emphasis on intergovernmental relations and concerted action. For example, the Joint Legislative Audit and Review Commission (JLARC) could continue and broaden its research on state aid and related state and local concerns. State agencies and universities could enhance their technical assistance in those areas identified by local governments as priorities.

Many of the activities done by ACIRs in other states are already being done in Virginia by the staff to the Commission on Local Government (COLG). The COLG's local government data base contains demographic, economic, and fiscal data; and its comparative fiscal analyses are used by various state agencies in allocating state funds. Further, the COLG is currently responsible, by statute, for preparing analyses of the fiscal impact on localities of any proposed legislation which would mandate the provision of additional services by localities. The 1988 General Assembly also authorized a state-local liaison position within COLG, which will serve as a repository of information on state programs and activities relevant to local governments and a source of local government data for the benefit of legislators and state officials.

Option 2: Reorganize the Local Government Advisory Council

The Local Government Advisory Council (LGAC) has an expansive statutory mission that encompasses many of the fundamental functions of an ACIR, but it does not have either a prescribed frequency of meetings or provisions for involvement by legislators.

Four changes could make the LGAC a more effective body. First, the LGAC could be given a statutory meeting schedule. Second, the governor could be authorized to designate a member of the executive branch as his alternate, with authority to convene and chair meetings when the governor's schedule precludes his attendance. Third, the chairmen of the House Committee on Cities, Counties and Towns and the Senate Local Government Committee could be designated to serve as *ex officio* members. Fourth, the Virginia Association of Counties (VACO) and the Virginia Municipal League (VML) could be authorized to propose agenda items for the LGAC's work plan.

Option 3: Establish a Legislatively Based Intergovernmental Relations Commission

New York, Maryland, Illinois, and South Dakota have legislative commissions, similar to joint standing committees of the legislature, that serve those states as ACIRs. A comparable legislatively based body could be established in Virginia.

Alternatively, the Virginia Intergovernmental Cooperation

Commission, which deals with interstate and federal-state relations and reports directly to the General Assembly, could be given expanded responsibilities. However, that commission has been used only infrequently; more importantly, its current mission is very different from the state-local and interlocal focus of state ACIRs. Another legislative avenue would be to expand the responsibilities of the General Assembly's two standing local government committees and to dedicate staff to them, either jointly or separately, as is done presently for the General Assembly money committees.

However, as the survey showed, local officials already rank their contacts and access with legislators very highly, suggesting that their more pronounced need is a strengthened relationship with the executive branch. Moreover, an active ACIR will confront many state-local issues that require both executive and legislative action.

Option 4: Establish a New Virginia ACIR with Its Own Staff

Both local and state officials supported the model drawn from the U.S. ACIR, which includes members from both the legislative *and* the executive branches, as well as broad local government representation. This model also provides a staff wholly devoted to the work of the ACIR. However, adopting this model requires building a new organizational foundation and promoting its acceptance by all the relevant government constituencies.

Option 5: Transform the Local Government Advisory Council

This option would reconstitute the present Local Government Advisory Council to represent all governmental constituencies, augment its existing staff support, and rename the COLG's staff the Office of State and Local Affairs.

Recommendations

After a careful consideration both of the opinions expressed by Virginia's local and state officials about the need for an intergovernmental relations commission and of the experiences of other states with such advisory bodies, the evidence suggests that a reconstituted Local Government Advisory Council (Option 5) could perform a valuable role in Virginia by fulfilling several functions of an ACIR that are viewed as needed in Virginia. Moreover, Option 5 would be the most desirable and cost effective alternative for meeting these needs. An existing agency would already have credibility and expertise, and it would be a familiar entity to state and local officials.

Virginia has no institutional mechanism that brings local government officials, legislators, and state administration officials together to discuss issues of mutual concern. Many state agencies collect data on intergovernmental issues related to their program areas, but these data elements need to be integrated into a comprehensive, readily available data base that can support research activity. Local government officials sometimes do not know where to go within the state's administrative structure to get needed information or assistance; in addition, the state needs more sophisticated research on local and intergovernmental concerns.

In reconstituting the Local Government Advisory Council, its membership should be reduced from twenty-six to nineteen members, with the appointments being distributed among the governor, the General Assembly, and the local government associations. Further, the operating procedures of the LGAC should be changed to make it a more dynamic and active body. The chairman of the LGAC could be chosen by the membership, with that office rotating annually among members who represent different constituencies. The council could also be required by law to meet at least bimonthly.

As the research has indicated, the performance and achievements of any intergovernmental relations advisory group will be largely dependent upon the quality of its staff. Part-time commission members clearly cannot develop data bases, conduct in-depth research, provide on-call technical assistance, or become involved in the myriad of special problems that arise in the day-to-day dealings between state agencies and localities. The staff of the Commission on Local Government currently serves the LGAC and performs a number of the roles associated with ACIRs in other states.

The COLG staff maintains a relationship with the U.S. ACIR and state ACIRs. Unlike the specific programmatic orientation of most state agencies, the staff of the COLG is more generally involved with Virginia's local governments and has expertise in Virginia's unique governmental structures. It is widely known throughout Virginia and acknowledged for its expertise. Especially important, it has cultivated mediation skills, a valuable asset for bringing together different governmental parties to consider mutual problems. Moreover, it has developed comprehensive statistical data bases on the finances, fiscal stress, and demographics of local governments, and it routinely undertakes analyses of legislative proposals that would increase service demands on localities, as mandated by the Virginia Code.

It is significant to note here that the state's two local government associations recently endorsed giving the commission staff's an even broader range of duties. The VML/VACO Task

Evidence suggests that a reconstituted Local Government Advisory Council could preform a valuable role in Virginia by fulfilling several functions of an ACIR.

Force on Interlocal Cooperation has recommended that the COLG's staff:

> be given additional responsibility and authority for gathering and collating data on local governments; conducting studies on State policy issues relating to local governments; assisting local governments with special studies of local problems; and assisting in the mediation of disputes, in addition to those dealing with boundary adjustments, among local jurisdictions and between local governments and state agencies.

In order to remove institutional ambiguity and in recognition of its responsibility for staffing two distinct entities, the administrative component of the COLG might be renamed the Office of State and Local Affairs. This new name would merely recognize the expanded scope of the staff's function. The Commission on Local Government would continue its important work in preparing reports for the court in boundary adjustment cases, with the same staff support as in the past.

Conclusion

Virginia is in a new era of intergovernmental relations. Throughout the country, states are actively stepping to the forefront in the provision of services to their citizens—whether in making fundamental reforms in education, expanding transportation networks, encouraging wide-ranging economic development, or protecting the environment and natural resources.

These are exciting and challenging times for states. To meet these challenges successfully, states must strengthen their working relationships with local governments—relationships that are indispensable to the provision of so many vital public services. Working together, states and localities have the best hope of serving effectively their residents. Strengthening Virginia's intergovernmental relations body, through a reconstituted and well-staffed LGAC, is one way to continue the Commonwealth's long-standing recognition of the importance of its local governments.

One final note: The 1989 General Assembly passed HB 1642 which incorporates most of Option 5's recommendations for a reconstituted Local Government Advisory Council of eighteen members. Upon enactment of the legislation in January 1990, three delegates and three state senators will serve as members. Also for the first time, the governor will appoint as members two executive-branch representatives and one citizen member with no current governmental affiliation. On recommendations from the respective local government associations, the governor will also appoint four elected county representatives, four elected municipal representatives, and one planning district representative. The LGAC will be required to meet at least bimonthly, and the chairman will be elected annually by the membership. These changes will assure that the Local Government Advisory Council is both more representative and active in addressing the mutual concerns of the Commonwealth and its local governments.

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